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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,706	02/25/2002	Tsung-Wei Lin	0941-0417P-SP	8346

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EXAMINER

CASCHERA, ANTONIO A

ART UNIT PAPER NUMBER

2676

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/080,706

Applicant(s)

LIN ET AL.

Examiner

Antonio A Caschera

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 10 is/are rejected.
- 7) ☒ Claim(s) 4 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in the pending application.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(a) as being anticipated by Adobe Photoshop 6.0. Adobe Systems Inc. ©1998-2000. Software Released 15, October 2000.

In reference to claim 1, Adobe Photoshop 6.0 discloses a method for rendering a trimmed ribbon image on a display device of a computer (see Screenshot #8, the word, "TEST" is warped and rendered on the display). Adobe Photoshop 6.0 discloses inputting content ready to be displayed on a trimmed ribbon object (see Screenshot #2, text is input using the Text tool as the word "TEST" is being written). Adobe Photoshop 6.0 discloses generating a ribbon route for the trimmed ribbon object by a "fisheye" function (see Screenshots #3-5, a "Warp Text" option is selected whereby numerous distortion functions are listed and the "fisheye" warp is selected and applied to the word, "TEST"). Note, the office interprets the "fisheye" function equivalent to the wrap function of applicant's claim as the "fisheye" function simulates the text being 3D wrapped

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around a curved surface (see Screenshot #5). Adobe Photoshop 6.0 also discloses cutting the distorted text treating each individual character as a sub-region of the “fisheye” function using cutting points of the text string (see Screenshots #6, 6a & 7, each individual letter of the word, “TEST” is treated by applying a different color to each letter. Also, the cutting points can be seen in Screenshots 6a and 7 as the corners of the rectangles which makeup the individual letter space). Adobe Photoshop 6.0 discloses generating a plurality of segments by separately applying an effect function to each letter (see Screenshot #8, each individual letter is shaded separately a different shade of gray). Adobe Photoshop 6.0 also discloses combining the letters to produce the trimmed ribbon image by rasterizing the image (see Screenshot #9).

In reference to claim 2, Adobe Photoshop 6.0 discloses all of the claim limitations as applied to claim 1 above in addition, the office interprets slope values of tangent lines passing through cutting points as local maximum and minimum values (see Screenshot #10, two lines are formed both tangent to the deformation path passing through cutting points, one having a zero slope and the other with an undefined slope).

In reference to claim 3, Adobe Photoshop 6.0 discloses all of the claim limitations as applied to claim 1 above. Adobe Photoshop 6.0 discloses inputting content ready to be displayed on a trimmed ribbon object (see Screenshot #2, text is input using the Text tool as the word “TEST” is being written).

In reference to claim 5, Adobe Photoshop 6.0 discloses all of the claim limitations as applied to claim 1 above. Adobe Photoshop 6.0 discloses generating a plurality of segments by separately applying an effect function to each letter (see Screenshot #8, each individual letter is shaded separately a different shade of gray).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe Photoshop 6.0. Adobe Systems Inc. ©1998-2000. Software Released 15, October 2000.

In reference to claim 6, claim 6 is equivalent in scope to claim 1 and is therefore rejected under similar rationale, in addition, although Adobe Photoshop 6.0 does not explicitly disclose a computer readable medium for storing a program to execute the above text distorting steps, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the text distorting program of Adobe Photoshop 6.0 on a computer readable medium in order to execute the program multiple times over again. Further, it is well known in the art that Adobe Photoshop 6.0 is a computer program, made to be stored on some sort of computer readable medium in order to be executed and process program data (Official Notice).

In reference to claim 7, claim 7 is equivalent in scope to claim 2 and is therefore rejected under similar rationale.

In reference to claim 8, claim 8 is equivalent in scope to claim 3 and is therefore rejected under similar rationale.

In reference to claim 10, claim 10 is equivalent in scope to claim 5 and is therefore rejected under similar rationale.

*Response to Arguments*

4. Applicant's arguments, see page 6, filed 11/08/2004, with respect to the objection to claim 4, have been fully considered and are persuasive. The claim objection to claim 4 has been withdrawn since informalities have been corrected.

5. Applicant's arguments filed 11/08/2004 have been fully considered but they are not persuasive.

In reference to applicant's arguments on pages 6-7 of Applicant's Remarks, filed 11/08/2004, the applicant argues that the "fisheye" function of Adobe Photoshop, "...produces a perspective distortion while the present application does not," (see page 7, lines 1-3 of Applicant's Remarks). Further, the applicant argues that the effects of the "fisheye" function of Adobe are "fundamentally different" from the present application (see page 7, lines 6-8 of Applicant's Remarks). As the claims currently read, the office believes that the Adobe reference can be interpreted as equivalent to the application at hand. Further, the specific type of distortion that is produced by the application at hand is not found within the claims allowing for the office to interpret the "perspective distortion" of Adobe equivalent to the distortion as recited in applicant's claims. Even further, if in fact the application at hand produces a distorted image using different methods than those disclosed by Adobe, the office does not see these differences brought out by the currently recited claims. Claims 1 and 9 solely recite creating a "trimmed ribbon image" which the office interprets equivalent to the distorted image of Screenshot #9 of Adobe and therefore, the office maintains the current rejection of the claims in view of Adobe.

In reference to applicant's arguments on page 7 of Applicant's Remarks, filed 11/08/2004, the applicant argues that the determination of cutting points of the present application are different from those of Adobe in particular, the cutting points of Adobe are based on the division of letters while the cutting points of applicant's claims are based on slopes of particular points on the image (see page 7, 2<sup>nd</sup> paragraph of Applicant's Remarks). The office does not see such a limitation, the cutting points being based specifically on slopes, as clearly brought out by the currently recited claims. The claims solely recite cutting the ribbon route into a plurality of sub-paths by a plurality of cutting points on the route and slopes values passing through cutting points (see claims 1, 2 and even further applicant's Figure #2). Therefore, the office maintains the current rejection of the claims in view of Adobe.

***Allowable Subject Matter***

6. Claims 4 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In reference to claims 4 and 9, the prior art of record (Adobe Photoshop 6.0. Adobe Systems Inc. ©1998-2000. Released 15, October 2000.) does not explicitly disclose the cutting step wherein a letter is divided into two parts by generating two trajectories of a contour of the letter when the cut points cutting across an interior of the letter, in combination with the further limitations of claims 4 and 9.

*References Cited*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Fushiki et al. (U.S. Patent 6,803,913 B1)
  - Fushiki et al. discloses a system and method for manipulating text relative to a curved reference line.

*Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (703) 305-1391. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (703)-308-6829.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



**MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**

aac

**11/15/04**